

JUL 17 2003

NOT FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

**CATHY A. CATTERSON
U.S. COURT OF APPEALS**

ARNULFO GUZMAN-GUZMAN,

Petitioner,

v.

IMMIGRATION AND NATURALIZATION
SERVICE,

Respondent.

No. 02-70417

Agency No. A90-825-404

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Argued and Submitted March 6, 2003
Pasadena, California

Before: PREGERSON, THOMAS, Circuit Judges, and OBERDORFER,** Senior
District Judge.

* This disposition is not appropriate for publication and may not be cited to or
by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

** The Honorable Louis F. Oberdorfer, Senior Judge, United States District
Court for the District of Columbia, sitting by designation.

Petitioner Arnulfo Guzman-Guzman, a citizen of Mexico, seeks review of the Board of Immigration Appeals' ("BIA") decision ordering him deported for assisting another alien to enter the United States without inspection in violation of 8 U.S.C. § 1182(a)(6)(E)(i). The BIA dismissed the appeal after finding that the Immigration Judge's ("IJ") decision was supported by "specific and cogent reasons." We agree.

The BIA's credibility determination is supported by substantial evidence because it properly relied on the IJ's credibility finding. *Abovian v. INS*, 219 F.3d 972, 977-78 (9th Cir. 2000). In addition, the IJ properly admitted the INS form I-213 at issue into evidence because the form was authenticated by an INS official. *Espinoza v. INS*, 45 F.3d 308, 309-10 (9th Cir. 1995).

Finally, the IJ properly admitted Guzman-Guzman's statements to the INS officer because Guzman-Guzman failed to demonstrate that the alleged violation of 8 C.F.R. § 287(c) resulted in any legally cognizable prejudice. *Hernandez-Luis v. INS*, 869 F.2d 496, 498 (9th Cir. 1989).

AFFIRMED.